IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 21330 of 2007(L)

AS.51/2006 of PRINCIPAL SUB COURT,KOCHI

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PETITIONER:

COCHIN THURAMUGHA THOZHILALI UNION
REG.NO.42/1949, REPRESENTED BY ITS GENERAL
SECRETARY, A.A.KOCHUNNI, S/O. ABDUL KHADER
ARAKKAL, SOCIAL WORKER, AGED 86, ARAKKAL HOUSE,
PANAYAPPALLY, KOCHI-2.

BY ADV. SRISHIJU VARGHEESE
SRI.C.S.YESUDAS

RESPONDENTS:

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1. A.B.AZEEZ, S/O. BEERAN, AGED 37,
RESIDING AT BUILDING NO.CCV/380,
BUNGALOW PARAMBU, MAR ROAD, KOCHI-2.

2. STATE OF KERALA, REPRESENTED BY
ITS CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
TRIVANDRUM.

R2 BY GOVT. PLEADER SMT. R. BINDU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J.

WP(C)No.21330 OF 2007 L

Dated this the 11th July, 2007.

JUDGMENT

This writ petition is filed seeking for a direction to the Principal Subordinate Judge, Kochi to issue a carbon copy of the order passed on 4.7.2007 and stay the operation of Ext.P6. It is submitted by the learned counsel for the writ petitioner that against the judgment and decree in O.S.47/05 of the Munsiff Court, Kochi appeals have been preferred as A.S.51 and 52/06 and along with the same an application for stay was also filed which had been dismissed by the appellate court on 4.7.2007. Now the writ petitioner wants to challenge that order and since he had not received a copy he prays for an interim stay of execution of the decree of the court below for a reasonable time. The right to file the proceedings before the appropriate forum has to be given and therefore, I direct the Principal Subordinate Judge, Kochi to issue carbon copies of the order on necessary compliance within a period of ten days from today and the execution of the decree in O.S.47/05 shall be kept in abeyance for a period of three weeks from today so as to enable the writ petitioner to

move the appropriate authority for redressal of his grievance. Writ petition is disposed of accordingly.

M.N.KRISHNAN
Judge

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